

1
2 Q: Now are you going...are you leaving also?

A: I'm leaving...

3 Q: Or are you just going to have pleasant conversation?

4 A: ...I'm ready to leave too. Because obviously when I said
5 that I could see...I mean, I'm dealing with someone I've
6 worked with for four years and I've known...I know when she...I
7 know what she can handle. You know what I'm saying? I know
8 when it's useless. So I'm walking out behind her to leave
9 too, and she turns.

10 Q: Now how close...how close would you say...

11 A: A few feet...A few feet.

12 Q: Okay.

13 A: She turns you know abruptly. And there's only one place
14 I can go and that's against the wall. You know, and I
15 jumped...you know, I backed up and then she starts shouting
16 something about me...if I want to run the department and then
17 it just goes on from there. And then when I say well, why
18 do you...what do you want me to do, Barbara? You are
19 responsible for these people. You know. She just leaves.
20 You know, it's like a few feet. Just to make it...I guess her
21 point very clear to me as a matter of fact kind of way. You
22 know. And the hands go up and they're on both sides of my
23 face and all I see is her face in my face and the hands
24 are...and I'm like this with my hands. Just...just stop
25 because...

1 Q: So you grabbed her hands.

2 A: I grabbed her hands because I don't...I don't know how
3 far they're going. I just know they're on the sides of my
4 face and I don't know where this whole situation is leading
5 to and I'm trying to like...she's...she's over me. Barbara's
6 5'10" and what am I? 5'5"? 160 pounds...there's a huge
7 difference in our size here. There's a restraint...I'm just
8 restraining the situation because she's...she's pretty...she's
9 pretty...I'm...yeah. This is a real dangerous situation I feel
10 myself in and I'm also don't want it...don't know where it's
11 going to go.

12 Q: So her hands go up...

13 A: In front of me...

14 Q: ...and she lunges at you...

15 A: Yes.

16 Q: ...but she doesn't...it's not like she strikes at you.

17 A: She's just...she's...she's...she's not in this respect and
18 this is...her hands are right there.

19 Q: They're a little close for comfort.

20 A: Yes. She's standing right in front of me but her hands
21 are here like on both sides of my cheek. It's like um...I
22 don't know...

23 Q: What you're trying to explain to me because we can't
24 see it on tape is...

25 A: Yeah. She's hovering. She's a tall woman.

1 Q: Yes.

2 A: Hovering with her hands in my face, you know, there's
3 no place for me to go. I'm just trying to hold her to keep
4 her from hitting me. Because the truth of the matter is I
5 don't know what my reaction is going to...you know, I don't
6 know what to do. I'm feeling very threatened. I'm leaning
7 as far back over the wall as I could. Everything is running
8 through my mind. This woman is yelling things about the
9 death of my children...she wished miscarriages on...just you
10 don't... I mean...

11 Q: Okay.

12 A: It was a scene, okay? And I've never seen anyone like
13 that. This is...one experience is enough. Too much.

14 Q: Okay. And we're going to keep going over this because
15 this is very important...

16 A: Yeah.

17 Q: ...before I move on to other questions.

18 A: Yes.

19 Q: If Barbara was going to hit you initially she had ample
20 time to do that.

21 A: I'm not sure about that...

22 Q: No, no, no. Let me finish. Okay, it's not as if she was
23 angry to want to punch you or do something like that, it
24 was easy enough to do that at that time.

25 A: Um-hum.

1 Q: And if I'm understanding you correctly, well that was
2 not done, you felt threatened by the size of the woman and
3 she was...

4 A: I was violated...

5 Q: ...just in your face. She was very close to you.

6 A: She was...I was violated and we were locked and she was
7 hovering over me. We were locked together and her hands
8 were very in my face. I don't know if it was to hit...I...I
9 don't know what she was...I don't know where she was going. I
10 was very...I was very concerned with where it was going and I
11 just wanted to protect myself from not being hit or not...the
12 situation not going any farther from where we were.

13 Q: So you put your hands up as you're indicating...

14 A: I put my hands...I grabbed...

15 Q: ...and then grabbed her hands.

16 A: ...her hands to get them away from my face.

17 Q: Okay. Correct.

18 A: To keep her off. She's standing close enough to kiss
19 me if she wanted to.

20 Q: That's all...I just wanted to paint the picture of the
21 proximity of her to you, the hands, the face...

22 A: We were...there was...

23 Q: ...what you did.

24 A: Like I said, there is...there is an obvious overpowering
25 in that situation because Barbara has me by at least 5

1 inches. You know, she's a very big woman and I was...I was
2 being...space just everything...just violated by this woman and
3 she was hysterical. I've never seen anything like it. So,
4 like I said...

5 Q: In putting your hands to defend yourself, not knowing
6 what might happen...

7 A: Um-hum.

8 Q: ...did you have to apply a lot of force? Was she pushing
9 back...

10 A: I wasn't...

11 Q: ...you or...

12 A: I wasn't trying to hurt her. I just wanted...I just
13 wanted some space between her and I because she was just
14 too...she was just in my face. She was...as a matter of
15 fact...you know...she, you know, I can't...she was in my face as
16 a matter of fact. I think maybe it was her intent to scare
17 me at the time. She succeeded. I don't know what she was
18 trying to do. I just wanted her to get the hell away from
19 me and back off That's pretty much where it was.

20 Q: And while your were holding her hands back...

21 A: Right.

22 Q: Was she just stationary or was she trying to get...back
23 to what you...

24 A: She was yelling and up in my face like leaning towards
25 me and I was leaning way back like against the wall. Like

1 just keeping...some of this...like...just...just restraining. Just
2 please, you know, just stop this. Calm down, thing. If she
3 moved forward with her (unintelligible) I was
4 moving...just...just in the position of defense.

5 Q: So...

6 A: Keeping way back.

7 Q: The point I'm trying to make is that if you...you pointed
8 out the size of each of you and the body frame. In your
9 defensive moves to put your hands up did it seem like...

10 A: It was...other than...

11 Q: ...she could have...she could have...

12 A: I didn't just put my hands up. I grabbed her hands to
13 keep them...

14 Q: Yes.

15 A: ...from going wherever they were going to go. It was...
16 They were just...

17 Q: But did you feel she...was she applying pressure to you...

18 A: I...

19 Q: Your hands were just hold on her hands was enough to
20 like stop her and she did not continue.

21 A: I was in a grip.

22 Q: Okay.

23 A: And I...I felt like I wasn't letting her come any more. I
24 wasn't going to let her go any more.

25 Q: But that was enough to stop her.

1 A: It stopped her.

2 Q: Yes.

3 A: And I...she...just stopped her from doing anything else.

4 Q: Yeah.

5 A: We just stood there and I, you know, I listened to
6 whatever she was yelling and she...she stopped and we broke
7 and then she went to the elevator.

8 Q: How did you decide to get how much force you may have
9 needed to do that or was it a lack...

10 A: I...I was...come on. There's no me forcing Barbara to do
11 anything. I just.

12 Q: Physically, I'm saying. Physically, I'm saying.

13 A: Physically...that's what I'm talking about. There's no
14 forcing her. She's...there's no forcing her. If she wanted to
15 give...you know. The size difference...there's no...I just...was
16 protecting myself.

17 Q: Right. So now you...you...you...

18 A: I...I...because I did..

19 Q: ...you did what you had to do.

20 A: Yeah. I did what I had to do which what I thought to do
21 at that time and I should just grab her hands and because
22 where's this going to go? Is it going to go to how
23 far...and..

24 Q: What...what...

25 A: ...you know...

1 Q: What I'm trying to establish is that in my opinion...

2 A: Um-hum.

3 Q: ...uh...that the anger at the time...

4 A: She was just very angry.

5 Q: ...and you...

6 A: Monstrous angry. Things...and that's what scared the hell
7 out of me.

8 Q: Now as you just pointed out and that's exactly what I
9 was looking for. The answer was that...you defended yourself
10 with what you felt you had to do. And you had to do it.

11 A: Yes.

12 Q: I'm trying to get at the amount of force. If Barbara
13 was wanting to get at you at the proximity, it could have
14 easily been done.

15 A: If I had...no. What I'm saying is if I had to use more
16 force to protect myself I would have. You asked me...

17 Q: But you didn't have to.

18 A: ...I was not trying to be accused of hurting her.

19 Q: No.

20 A: That's for sure. But I did grab her to keep myself from
21 being hit. That's what I did.

22 Q: Okay.

23 A: Yes. To...from being injured or you know. Whatever was
24 going on, I was just protecting myself and that's...

25 Q: Other than the contact issue you've just gone over in

1 length, was there any other contact on your person? By
2 Barbara? Other than the touching of the hands?

3 A: Other than that, there was no more touching.

4 Q: Uh...how long have you known Barbara?

5 A: I...okay. I've known Barbara since I worked for the
6 advertising department. That's a total of 12 years even
7 though I've been at this company longer. And when I say
8 I've known her, it's not like we were close friends or
9 anything. I just...I see her. We speak. We've worked together
10 on some projects. I've known her...I've got to know her more
11 in the last three and a half almost four years when she
12 became our supervisor.

13 Q: Was your relationship with her work related only?
14 Do you see her on the outside?

15 A: I would...I prefer to keep it that way. I try to keep it
16 that way even though it's difficult. I have been known to
17 go...I went out one time um...after work with her and the other
18 managers for a drink but...and in four years, but that's just
19 one time.

20 Q: Have you ever like visited her home or anything like
21 that?

22 A: I was invited to her Christmas party and I did go to
23 her Christmas party um...as did the rest of the staff. One
24 time.

25 Q: Prior...prior to the incident on the...well, the meeting on

1 the 30th...what was your relationship with Barbara? Strictly
2 professional?

3 A: Um...on my end yes. I try to keep it very professional. I
4 felt like...I...I...there was...it gets too personal on Barbara and
5 I felt like I know more about her than I should know and I
6 felt like um...that...I just...just didn't feel that comfortable
7 with the amount of the neediness of Barbara. The personal
8 neediness if that's what you want to say.

9 Q: Your current position is Associate...you said.

10 A: Yes, it is and Barbara is the Director.

11 Q: How did you get that position? Is it an appointment...

12 A: Um...Nadine which was the previous Associate Director
13 left in July and then uh...Nadine and I were the oldest
14 advertising people in the department before Barbara became
15 our boss, so I mean, it was a natural process. I'm the
16 next in line. The more experienced. The other three
17 managers, the oldest one has been here two years. And
18 um...most of them I helped train.

19 Q: And how long have you had this position?

20 A: Um...this is just a year. Sadly enough.

21 Q: As far as the incident in the...in the hallway, did
22 anybody see it?

23 A: Um...people...people heard it. There's a wall that's there.
24 No one's seen the actual attack but they heard...

25 Q: Well, if I needed to speak to anybody...

1 A: David Bet to be exact. Heard it.

2 Q: David what?

3 A: B-E-T. Bet.

4 Q: Okay.

5 A: He is the art director. The senior art director who
6 heard a good deal of it.

7 Q: Okay.

8 A: The cleaning lady. Her name is Donna. She heard a good
9 deal of it and actually she witnessed Barbara hysterically
10 getting on the elevator. Um...those are the people who
11 admitted to...to...to...

12 Q: Have you sustained any injuries from that incident with
13 Barbara?

14 A: Yes. My health has been deteriorating since the
15 incident.

16 Q: In what respect?

17 A: My back is in a constant state of pain. Um...uh...lots of
18 pain. There's stress. There's anxiety because I'm still
19 dealing with that situation. There's lot of
20 (unintelligible). There's the loose stool. There's bad
21 nerves. Everything is just going downhill from here and
22 it's one...um...you can get the doctor's report on that...

23 Q: And...

24 A: I don't know.

25 Q: And you're attributing these injuries to that

1 confrontation on that day?

2 A: It happened...the confrontation happened and before that
3 I was perfectly fine. Now I am...I don't know what the state
4 of my health is so yes, I am. I'm contributing...

5 Q: When were you first aware that you might have sustained
6 this injury?

7 A: I was aware of the physical impact on my body the night
8 of the attack where I could not stop shaking.

9 Uncontrollably. Shaking. My heart was pounding. I was in a
10 very state of anxiety. Heightened to the point where I had
11 to walk around. The office space you know, just to bring
12 myself back to the reality of where I was and everything.
13 And there are moments, you know, where I still have the
14 nervousness and shakes but it's, you know, all the anxiety
15 of this situation.

16 Q: Did you report what had happened?

17 A: Yes. The night...I started to report it to security and
18 then Barbara left me this message that...discouraged me from
19 doing that so I decided to report it Monday. Because the
20 incident happened Friday night, I went first thing on
21 Monday and reported it to Kathleen Kelly. Not only did I
22 report it, but I let her hear the message Barbara left on
23 my machine in which she admits to attacking me.

24 Q: All right. Did you request that anything be done?

25 A: Yes. Well, she...she...Kathleen said to me that well, you

1 know you'll have to speak to Adam and I said I know I said,
2 because it got physical and I said...I said...you know, we've
3 had our disagreements but this is different and whatever
4 needs to be done from here on because it got physical and
5 because of the nature of the situation I'm prepared for it
6 so speak to Adam. Do what you have to do. There's no
7 turning back.

8 Q: Adam is the...

9 A: Adam Owett is Barbara Wornock-Logan's supervisor. And
10 she said that she would and she would get back to me. And
11 um..two weeks...it was two weeks later and nothing happened.

12 Q: And that was done on the 3rd...

13 A: That was done on the 3rd.

14 Q: Okay. That was after the weekend you brought it to
15 Kathleen's attention.

16 A: I brought it to Kathleen on April 3rd. The incident
17 happened on March 31st so I brought it to her attention on
18 April 3rd. She told me um...she took, you know, she heard what
19 I had to say or whatever. Heard the tape. You know. Told me
20 what she would have to do and that would include speaking
21 to Barbara's boss. I told her whatever, you know. It
22 happened, it got physical and I'm really uncomfortable with
23 Barbara. I don't trust her and you know, a part of that
24 trust has been...just...just in general. It wasn't just the
25 incident. It's just been a building mistrust of Barbara's

1 um...for...you know. For a while in me. And I just really am
2 uncomfortable working with her and taking her, you
3 know...just...this is a bad situation so whatever you have to
4 do. Speak to Adam and you know, let me know. And um...days
5 went by and in the meantime, my back which is...it was just
6 getting worse. My condition was getting worse. I was
7 getting stressed out dealing with not hearing. Sending
8 memos. Barbara at this time was coming in and out of my
9 office. You know. And that was making me angry...anxious
10 because I...you know, I thought about it. I didn't know what
11 it could have...I was afraid to be alone with her.

12 Q: When you say she was coming into your office is that
13 kind of necessary for just a work...

14 A: Yeah. I mean, she would come in to say stuff to me but
15 a lot of it...I mean, usually if we were working on a
16 project, it would be project related. Barbara came in and
17 she...to my office, you know, while I'm waiting to hear the
18 outcome, she comes in one day. This is really what
19 triggered me to just...just...just take care of my health is
20 that she came in one morning and she was like I just wanted
21 you to know that I'm extremely uncomfortable with our
22 situation and I can't wait until it's resolved. And she...I
23 was sitting there and she was standing up over me and I
24 said okay. And she just walked out like...and I sat there
25 thinking you know about. You talked to me. Everyone seems

1 to be getting your opinion and you're going to sit here and
2 tell me you're uncomfortable when I can't even shit
3 straight? I was just beside myself so I called and I
4 started to feel really bad. I called to see if I could get
5 a referral to see the doctor...um...Basil. And when I saw Dr.
6 Basil he asked me...he examined me, took my blood pressure.
7 Said it was up. And everything and he asked me to explain
8 why I'm in the condition that I was in with my back, the
9 blood pressure, what happened. I explained the situation.
10 He contacted Worker's Comp and now we're here.

11 Q: Dr. Basil being a chiropractor?

12 A: He is a medical doctor who...uh...chiropractor, yes, but
13 he's also a medical doctor.

14 Q: Have you had any previous problems with Barbara?

15 A: Um...I've questioned...I went...I haven't had like uh...I've
16 questioned Barbara's professionalism in the past, yes.

17 Q: Anything specific?

18 A: Uh...just in terms of the favor...her male favoritism. Just
19 the fact...I felt like, you know, her going out drinking with
20 the guys as often as she did and then trying to establish,
21 you know, work afterwards. It gets a little...some of it I
22 just felt like you get hired to be a manager and
23 then...constantly I'm going out after work socializing with
24 the guys and uh...and then also, you know, if I'm trying to
25 manage them that's difficult too, because they're out